



An
Bord
Pleanála

Board Direction PL16.248123

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 26th 2017.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

- 1 Having regard to the topography of the site, it is considered that the elevated position of the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. It is considered that the proposed development would detract from the rural character and scenic amenities of the area which it is the policy of Mayo County Council to protect. The proposed development would be contrary to policies RH-02, LP-02, LP-03 and VP-01 of the Mayo County Development Plan 2014 -2020, all of which seek to preserve the scenic amenity of the vulnerable coastline of County Mayo. The proposed development would thereby conflict with the policies of the planning authority as set out in the Development Plan, would seriously injure the amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied that it has been satisfactorily shown that, notwithstanding the proposed use of a proprietary waste water treatment system, the subject site is capable of disposing of surface and waste water generated by the proposed development, safely and without prejudicing public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Board concurred with the Inspector in her analysis of the policies in relation to rural housing as they apply to the subject location, noting the disparities between national and local policy in this regard, and agreed with her that, where such disparities exist, national policy should take precedence. The Board noted that the site is located within an Area Under Strong Urban Influence as identified in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government (2005), and considered that, based on the information supplied in the application and appeal, it could not determine whether the applicants housing need was urban or rurally generated, and consequently it could not be established that the applicants came within the rural-generated housing need criteria for a house within a rural location in such an Area. However, the Board decided not to seek further information on this issue, having regard to the substantive reasons for refusal set out in the above Order, and decided not to include this issue as a third reason for refusal, as had been recommended by the Inspector, in the absence of such information.

[Please issue a copy of this Direction with the Board Order]

Board Member

Philip Jones

Date: 26th July 2017